

State of South Dakota

EIGHTIETH SESSION LEGISLATIVE ASSEMBLY, 2005

668L0497

SENATE BILL NO. 158

Introduced by: Senators Olson (Ed), Adelstein, Bartling, Duniphan, and Koetzle and
Representatives Buckingham, Dykstra, Haverly, Klaudt, Michels, Murschel,
and Roberts

1 FOR AN ACT ENTITLED, An Act to provide for the certification of distance learning
2 providers, to establish a distance learning grant program for students, and to make an
3 appropriation therefor.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. Terms in this Act mean:

6 (1) "Distance learning," the technology and educational process used to provide
7 instruction when the student and primary instructor are not physically present at the
8 same time or place;

9 (2) "Distance learning provider," a school or organization that provides distance learning
10 courses.

11 Section 2. No distance learning provider may provide courses through distance learning to
12 any student in an accredited elementary or secondary school or postsecondary educational
13 institution in this state unless the distance learning provider has a certificate issued by the
14 secretary of the Department of Education authorizing the distance learning provider to provide
15 the courses.



1 Section 3. The South Dakota Board of Education shall promulgate rules pursuant to chapter
2 1-26 establishing the requirements and criteria that an applying entity must meet in order to be
3 issued a distance learning provider's certificate by the secretary of the Department of Education
4 authorizing the entity to provide courses through distance learning. The rules shall specify the
5 duration and the method of renewal, the amount of the fee, not to exceed one hundred dollars,
6 for issuing the certificate, the application procedures for certificates, the requirements for
7 certification, and other procedures necessary for the administration of distance learning provider
8 certification.

9 Section 4. There is hereby created the Distance Learning Grant Program within the
10 Department of Education.

11 Section 5. There is hereby appropriated from the general fund the sum of eight hundred
12 thousand dollars (\$800,000) or so much thereof that may be necessary, to the Department of
13 Education for allocation to certain students to assist them in paying for distance learning courses
14 in which they enroll.

15 Section 6. The Board of Education shall promulgate rules pursuant to chapter 1-26 to
16 establish grant eligibility, application procedures, and criteria for selecting grant recipients. In
17 order to be eligible for a grant, a student must be enrolled in at least one distance learning course
18 offered by a distance learning provider that is certified pursuant to this Act.